

STAT

Approved For Release 2004/10/28 : CIA-RDP81M00980R000200030060-1

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REQUEST FOR AUTHORIZATION
TO RETAIN OR DESTROY QUESTIONABLE RECORDS

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1. DESTRUCTION AUTHORIZATION NO. (Assigned
by RAB)

TO : Chief, Information Systems Analysis Staff, DDA

FROM: (OFFICE DESIGNATION OF ORIGINATOR)

THRU: Component Records Management Officer
Directorate Records Management Officer
Records Administration Branch, ISAS/DDA
Office of General Counsel

2. DATE PREPARED

THE RECORDS IDENTIFIED BELOW ARE SCHEDULED FOR IMMEDIATE DESTRUCTION; HOWEVER, THEY MAY BE SUBJECT TO ACTUAL OR IMPENDING LEGAL OR INVESTIGATIVE REQUIREMENTS. AUTHORIZATION IS REQUESTED EITHER TO RETAIN THE RECORDS OR TO DESTROY THEM AS SCHEDULED. THE RECORDS ARE BEING HELD PENDING RECEIPT OF AUTHORIZATION. IF FURTHER RETENTION IS REQUIRED, REVISED DISPOSITION INSTRUCTIONS MUST BE PROVIDED TO RECORDS ADMINISTRATION BRANCH, ISAS.

IDENTIFICATION OF RECORDS

3. OFFICE

4. SCHEDULE NO.

5. ITEM NUMBER

6. INCLUSIVE DATES

7. VOLUME (cu. ft.)

8. PROVIDE DETAILED DESCRIPTION AND LISTING OF RECORDS AND/OR ATTACH COPY OF FORM 140 AND 140A, MARKED TO INDICATE WHICH RECORDS ARE QUESTIONABLE. EXPLAIN BASIS FOR DETERMINING THAT RECORDS ARE QUESTIONABLE.

☐ CONTINUED ON SEPARATE PAGE

9. TYPED NAME AND SIGNATURE OF CUSTODIAN OF RECORDS

EXTENSION

DATE

10. TYPED NAME AND SIGNATURE OF COMPONENT RECORDS MANAGEMENT OFFICER

EXTENSION

DATE

11. TYPED NAME AND SIGNATURE OF DIRECTORATE RECORDS MANAGEMENT OFFICER

EXTENSION

DATE

AUTHORIZATION TO RETAIN OR DESTROY RECORDS

RETAIN ALL

11

12. TYPED NAME AND SIGNATURE OF GENERAL COUNSEL REPRESENTATIVE

EXTENSION

DATE

RETAIN PARTIAL

11, 2

DESTROY ALL

13. TYPED NAME AND SIGNATURE OF CHIEF, INFORMATION SYSTEMS ANALYSIS STAFF

DATE

APPROVED

14. 11 PROVIDE JUSTIFICATION FOR CONTINUED RETENTION. ALSO PROVIDE PROPOSED NEW DISPOSITION INSTRUCTIONS.

12 INDICATE UNDER SECTION 8 ABOVE WHICH RECORDS ARE TO BE RETAINED. THOSE NOT INDICATED FOR RETENTION ARE AUTHORIZED FOR IMMEDIATE DESTRUCTION.

☐ CONTINUED ON SEPARATE PAGE

INFORMATION REQUEST FLAG

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THIS FORM IS USED TO SAFEGUARD FROM INADVERTENT DESTRUCTION RECORDS THAT ARE INVOLVED IN FREEDOM OF INFORMATION ACT OR PRIVACY ACT REQUESTS, LITIGATION, OR MATTERS UNDER INVESTIGATION BY THE DEPARTMENT OF JUSTICE OR CONGRESS. IT MUST BE FILED IN THE FRONT OF A FOLDER TO LIST ALL DOCUMENTS IN THE FOLDER RELATED TO A SPECIFIC REQUEST (*one form for each request*), OR AS A SINGLE ATTACHMENT TO EACH INDIVIDUAL DOCUMENT. IT MUST NOT BE REMOVED FROM THE DOCUMENT OR FOLDER UNTIL THE RECORD SERIES IS DUE FOR DESTRUCTION IN ACCORDANCE WITH APPROVED RECORDS CONTROL SCHEDULES AT WHICH TIME DISPOSITION OF FLAGGED RECORDS WILL BE CHECKED WITH THE COMPONENT RECORDS MANAGEMENT OFFICER AND OTHER AUTHORITIES AND WILL BE DEPENDENT ON THE STATUS OF EACH REQUEST.

TYPE OF REQUEST

<input type="checkbox"/>	PRIVACY ACT	<input type="checkbox"/>	CONGRESSIONAL INVESTIGATIONS	<input type="checkbox"/>	OTHER (specify)
<input type="checkbox"/>	FOIA	<input type="checkbox"/>	DEPT. OF JUSTICE INVESTIGATIONS		
<input type="checkbox"/>	LITIGATION	<input type="checkbox"/>	MANDATORY CLASSIFICATION REVIEW		

REQUESTER	REQUEST NO.
SUBJECT OF REQUEST	DATE OF REQUEST

DOCUMENTS SUBJECT TO REQUEST - INCLUDE FILE NO., SYMBOL, DATE AND SUBJECT

☐ CONTINUED ON SEPARATE PAGE

REMARKS

☐ CONTINUED ON SEPARATE PAGE

DATE OF COMPONENT RESPONSE

DATE APPEALED (if applicable)

DO NOT REMOVE THIS FORM FROM THIS FILE

78-0848

1 March 1978

MEMORANDUM FOR: Director of Central Intelligence

FROM: John F. Blake
Deputy Director for Administration

SUBJECT: Records Destruction Policy

1. Action Requested: Approval of a Headquarters Notice establishing records destruction policy for CIA, and approval of a letter informing the House Select Committee on Assassinations of our intention to implement this policy.

2. Background:

a. The Agency has made two formal commitments in which we stated that we would not destroy records without the specific approval of two Congressional Committees conducting investigations involving CIA. One of these commitments has been fulfilled; the other has not. We wish to fulfill the second commitment now, so that we may proceed to destroy those records that have been approved for disposal by the Archivist of the United States. We have been accumulating these records for three years, and we are running out of space to store them. The continued possession by the Agency of several categories of records is in violation of the Privacy Act of 1974 and Executive Order 12036 and--once immediate disposition has been approved by the Archivist--the statutes and regulations which govern the maintenance and disposal of federal records. Furthermore, when we receive new search requirements under FOIA/PA, litigation, or investigations, we must consider those records that already have been authorized for disposal but have not been destroyed.

b. The first formal commitment was made by Director Bush in a letter to the Senate leadership dated 22 June 1976. In the letter Mr. Bush stated that we would submit our records control schedules to the Senate Select Committee on Intelligence for approval prior to destroying any records. This has been done, and many of the records listed have been reviewed by members of the SSCI staff. In a letter to SSCI Chairman Inouye dated 18 June 1977, you requested that he expedite the Committee's clearance of records for destruction. Finally, in a letter to you dated 21 December 1977, Senator Inouye noted the "moratorium" had expired and therefore we may return to normal records destruction policies.

c. The second formal commitment was made by Director Bush in a letter to Chairman Downing of the House Select Committee on Assassinations dated 9 December 1976. In this letter Mr. Bush stated that we would make available to the Committee our records control schedules at the same time they were submitted to the SSCI, and that we would not destroy any records until the Committee notified the Agency that it had completed its review of the schedules and had no objection. When the Committee was first organized, records schedules were shown to Mr. Richard Sprague, then Staff Director. No action was taken due to the internal Committee turmoil leading to the termination of Sprague and a new Chairman, Representative Stokes. When we recently offered to submit the schedules, the Committee's present Chief Counsel and Director, G. Robert Blakey, stated they were in the peak of their review of CIA files and suggested we postpone further action on this matter for 6 weeks. He did, however, express his willingness to cooperate with the Agency at that time.

d. We are now caught in a dilemma. On the one hand, we are legally required to implement the disposition instructions by the Archivist. On the other hand, we are committed to refrain from implementing the instructions until notified by the HSCA. We must take affirmative action to resolve this dilemma.

STAT e. The records destruction policy to be established in [redacted] (attached) includes safeguards to protect records of interest to investigating committees, including the HSCA. We propose that the notice be published now, in order to inform Agency employees of our "post-moratorium" destruction policy and to get on with the proper review, screening, and documentation of our records. We also propose that a copy of the notice be sent to the HSCA along with one representative records schedule; the remaining records schedules will be forwarded 1 April. The transmittal letter (attached) states that we will implement the approved records disposals beginning 1 May 1978. This letter will update our commitments of 9 December 1976 and establish our intent to comply with mandatory records disposal requirements.

3. Staff Position: The Offices of Legislative Counsel and General Counsel agree with the substance of this memorandum.

4. Recommendations:

a. That you sign the attached [redacted] Records Destruction Policy.

CIA

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b. That you sign the attached letter to the House Select Committee on Assassinations.

/s/ John F. Blake
John F. Blake

78-68481

6 March 78

Honorable Louis Stokes
Chairman, Select Committee on Assassinations
United States House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

In a letter dated 9 December 1978 to a former Chairman of the Select Committee on Assassinations, the Honorable Thomas H. Downing, the former Director of Central Intelligence, Mr. George Bush, gave assurance that no records related to the Committee's investigations would be destroyed once the moratorium on the destruction of Agency records, invoked by the Church Committee, was lifted. Chairman Inouye of the Senate Select Committee on Intelligence, lifted the moratorium as of 21 December 1977.

In disposing of its records, CIA, like all Federal agencies, is subject to relevant provisions of Federal law. We have completed the records control schedules which are required by law and 21 of these 22 schedules have been approved by the Archivist of the United States. These schedules describe in some detail the Agency's files, govern the periods for which these files may properly be retained, and establish the timetable for their disposal. I should point out that once the Archivist approves these records schedules the disposition instructions and destruction schedules incorporated therein become obligatory upon the Agency under law.

We are most anxious to resume normal document destruction since the moratorium covered all Agency documents and this has created a tremendous administrative burden. My Legislative Counsel raised this subject with Mr. Blakey and he requested that a detailed discussion be deferred for another month when he contemplates that most of the review of CIA documents will be completed. Accordingly, at the end of March 1978, we will arrange for delivery of the schedules to you for Committee review and for a briefing of the Committee staff concerning the details contained in these records schedules. I am enclosing a copy of one of these schedules to illustrate that the records which are now being held are in the most part temporary in nature and are not in any way related to the matters your Committee is investigating.

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I have also enclosed a copy of our recent Headquarters notice, entitled CIA Records Destruction Policy. You will note that this destruction policy incorporates a number of safeguards against the destruction of records which may be pertinent to the needs of the Congress in general, and your Committee in particular.

We are planning to resume normal destruction on 1 May 1978 which should provide sufficient time for the Committee to complete its review of the schedules. It is my belief that this policy is fully responsive to the requirements of your investigation while enabling the Agency to comply fully with the requirements of the law.

Yours sincerely,

/s/

STANSFIELD TURNER

Enclosures

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UNCLASSIFIED

USE ONLY

ROUTING AND RECORD SHEET

GUIDELINES

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SUBJECT: (Optional)

FROM:

EXTENSION

NO.

OLC-78-106412

C/RAB

5B, 2828 Headquarters

DATE

22 March 1978

TO: (Officer designation, room number, and building)

DATE

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

OLC

6D-15 Hqs.

2.

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7.

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9.

10.

11.

12.

13.

14.

15.

We finally got
out of the building!